



PATENT  
0104-0317P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Adel ASSEH et al. Conf.: 5525

Appl. No.: 09/749,395 Group: 2633

Filed: December 28, 2000 Examiner: BELLO, AGUSTIN

For: CHANNEL BALANCING OF A WAVELENGTH  
DIVISION MULTIPLEXED OPTICAL SIGNAL

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

June 9, 2004

Sir:

Proximion Fiber Optics AB, (hereinafter "the Assignee")

residing at ,  
 a corporation of Sweden having a principal place of business at Kista, Sweden,  
 a university having an address of ,

represents that it is the true owner of the entire interest of U.S. patent Application No. 09/749,395, filed on December 28, 2000, for "CHANNEL BALANCING OF A WAVELENGTH DIVISION MULTIPLEXED OPTICAL SIGNAL," (hereinafter "above-identified application") by virtue of and as evidenced by an Assignment recorded at the United States Patent and Trademark Office at Reel 11576, Frame(s) 07/07/2004 NUMBER 00000001 09749395 244,247. 01 FC:1614 53.00 JP

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application which would

extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,501,879, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent 6,501,879 shall be the same as the legal title to any patent issuing from the above-identified application, this agreement to run with any patent granted on the above-identified application, and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,501,879 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-identified application.

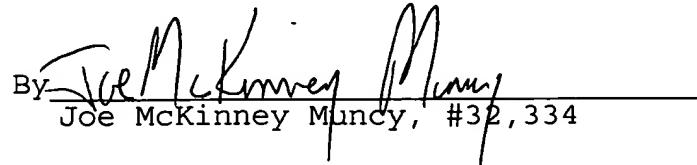
Appl. No. 09/749,395

Please charge any fees or credit any overpayment pursuant to  
37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: June 9, 2004

By   
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KM/PCL/cl  
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Attachment(s)

(Rev. 02/13/2004)